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AND RELATED AGENCIES

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STEERING AND POLICY COMMITTEE

Mr. Andrew Wheeler
Acting Administrator
U.S. Environmental Protection Agency
Office of the Administrator – 1101A
1200 Pennsylvania Avenue NW
Washington, DC 20460

Mr. Matthew Whitaker
Acting Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

Dear Acting Administrator Wheeler and Acting Attorney General Whitaker:

I write to express my deep concern regarding the recent discovery of the contamination of groundwater and drinking water around the Florida State Fire College in Ocala, Florida, with carcinogenic fire retardant chemicals PFOS and PFOA. Further, I write to inquire about the Environmental Protection Agency's (EPA) recent actions with regards to these chemicals, if any, and ask the Department of Justice to open an investigation into the potential negligence of the Florida Department of Health and Department of Environmental Protection.

As the EPA pronounced in a 2016 drinking water health advisory, exposure to these chemicals – known as PFOS (perfluorooctane sulfonate) and PFOA (perfluorooctanoic acid) – can cause adverse developmental health effects in fetuses, kidney and testicular cancer, liver damage, compromised immune systems, thyroid disease, and other maladies. In August 2018, the Florida Department of Environmental Protection confirmed that PFOS and PFOA had been used at the Fire College before production of the chemicals was phased out in the early 2000s due to health concerns. Consequently, the agency told the Fire College in early September of 2018 to avoid water from the tap and drink only bottled water after the presence of PFOS and PFOA in the groundwater was confirmed.

The Department of Health tested samples from nearby wells in early October and confirmed that well water being consumed by private citizens was contaminated with PFOS and PFOA. Despite the fact that the state knew about the contamination since August, the Florida Department of Health did not send letters to notify residents in the vicinity of the Fire College until November 5, one day before Election Day. It took about four months for the Department of Health to notify Floridians living around the Fire College that their water was contaminated with carcinogenic chemicals. This is unacceptable.

Even more alarming, according to the Miami Herald and Tampa Bay Times, initial tests indicated that the water at the college contained 250 to 270 parts per trillion of these dangerous chemicals. This is more than three times higher than the EPA health advisory level of 70 parts

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per trillion. Many states have begun to set their standards closer to 10 parts per trillion, arguing that the EPA advisory is outdated and much too high. Still worse, contamination levels at the local mining operation registered at 12,000 parts per trillion, or 170 times greater than the EPA's health advisory level.

Ocala residents are not the first to be alarmed by PFOS and PFOA contamination. This incident follows a disturbing trend of PFOS and PFOA contamination events that have occurred across the nation in recent years. This trend represents an unfortunate and life-threatening example of regulation failing to keep pace with the latest science. Peer-reviewed research establishing the risks of PFOA and PFOS have been around for decades.

Yet EPA has still not established a national drinking water standard for PFOA and PFOS. Because these are not yet regulated contaminants, a proper system for monitoring, regulating, and sending notifications for contamination events is not yet in place. What is EPA doing to address this issue? Is EPA making progress on properly regulating these contaminants? Why has EPA failed to complete this process, even while states and municipalities across the country are dealing with PFOA and PFOS contamination events? Also, given how the current shutdown is affecting EPA, I am concerned that there is no one at EPA to ensure Florida's Department of Health has what it needs to address this critical issue at this time.

I also request that the Department of Justice and EPA's Criminal Investigation Division look into whether the Florida Department of Health or Department of Environmental Protection was negligent with regards to the four-month delay before the Department of Health finally notified affected residents. If state agencies responsible for protecting residents from these harmful chemicals took so long to notify residents, we must ask if they have a system in place to detect these contaminants and if they have set notification policies to prevent harm from befalling citizens.

Furthermore, a lack of clarity still exists regarding what communications took place between the governor's office and the Florida Department of Health. I am also troubled by the fact that Les Beitsch, former Deputy Secretary of the Department of Health, was fired after pushing back against any delay in notifying affected residents. This kind of potential political interference in matters of life and death deserves swift and thorough investigation.

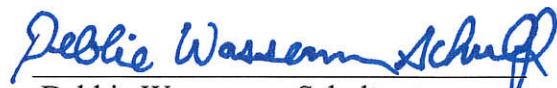
By waiting so long to inform residents that they were drinking contaminated water, the Florida Department of Health put people's health at severe risk and jeopardized their lives. EPA must do what it can to help states prevent these kinds of environmental and public health crises from happening in the future. Additionally, the Department of Justice must consider investigating the poor decision-making in Florida's Department of Health, especially considering that the agency reassured residents that the water was safe to drink while it waited for test results, even though samples taken nearby tested positive for extremely high levels of contamination.

We can see echoes of Flint in this incident in Ocala. Last year, EPA's Office of Inspector General released a report that found management weaknesses delayed an appropriate response to the Flint water crisis. In this report, EPA admitted that the agency should "strengthen oversight

of state drinking water programs.” The recent contamination in Ocala demonstrates that EPA still has a long way to go.

For the sake of all Americans suffering from drinking water contamination as a result of negligence by government officials entrusted to protect them, I urge you to review the actions that led to this public health crisis and investigate what went wrong and who is responsible.

Sincerely,



Debbie Wasserman Schultz
Member of Congress